STATEMENT OF SCOPE

Board of Nursing

Rule No.: N 8

Relating to: Advanced Practice Nurse Prescribers

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The current chapter N 8 was created in 1995 with only a few minor revisions. The Board's intention is to do a comprehensive review, evaluation and update to the rules governing advance practice nurse prescribers.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Board will update the chapter to reflect current procedures and the changes in the profession.

Stakeholders have brought to the Board's attention that national certification bodies which previously certified clinical nurse specialist in a specific specialty no longer certifies that specialty. Other states have addressed with requirements which did not include relying on a national certification. The Board will consider options to address this stakeholder concern as part of the rule-making project.

The alternative is to keep the current rules which have some inconsistency with the statute and rules, and maintain procedures and practice of the profession which remain out-of-date.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

s. 15.08(5)(b) Each examining board: shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

s. 441.01(3) The board may establish minimum standards for schools for professional nurses and schools for licensed practical nurses, including all related clinical units and facilities, and make and provide periodic surveys and consultations to such schools. It may also establish rules to prevent unauthorized persons from practicing professional nursing. It shall approve all rules for the administration of this chapter in accordance with ch. 227.

s. 441.16(3) The board shall promulgate rules necessary to administer this section, including rules for all of the following:
(a) Establishing the education, training or experience requirements that a registered nurse must satisfy to be an advanced practice nurse. The rules promulgated under this paragraph shall require a registered nurse to have education, training or experience that is in addition to the education, training or experience required for licensure as a registered nurse.
(am) Establishing the appropriate education, training and examination requirements that an advanced practice nurse must satisfy to qualify for a certificate to issue prescription orders.
(b) Defining the scope of practice within which an advanced practice nurse may issue prescription orders.
(c) Specifying the classes of drugs, individual drugs or devices that may not be prescribed by an advanced practice nurse.
(cm) Specifying the conditions to be met for a registered nurse to do the following:
1. Administer a drug prescribed by an advanced practice nurse who is certified to issue prescription orders.

2. Administer a drug at the direction of an advanced practice nurse who is certified to issue prescription orders.
(d) Establishing procedures for maintaining a certificate to issue prescription orders, including requirements for continuing education and a requirement to complete the nursing workforce survey and submit the fee required under s. 441.01(7).
(e) Establishing the minimum amount of malpractice liability insurance coverage that an advanced practice nurse shall have if he or she is certified to issue prescription orders. The board shall promulgate rules under this paragraph in consultation with the commissioner of insurance.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

175 hours

6. List with description of all entities that may be affected by the proposed rule:

Nurses and other health care professionals and entities.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None or minimal economic impact. There is not likely to be a significant economic impact on small businesses.

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Authorized Signature

3-10-14
Date Submitted